

**ENTERED**

October 13, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

§

VS.

§

MAGISTRATE JUDGE NO. 2:16-MJ-1248

NICOLE CHARLES BOURN

§

§

**MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL**

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There is a serious risk that the Defendant will not appear; and
- (2) There is a serious risk that the Defendant will endanger the safety of another person or the community.

The evidence against the Defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report are adopted. The Defendant is homeless, and at this time her mother is unwilling to accept the Defendant in her home. The Defendant is on bond for a felony controlled substance offense, and committed another alien smuggling offense within a week of being released on bond. On prior occasions when the Defendant was on probation, she was unable to comply with court-ordered conditions of release. She is a poor bond candidate.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending 1 / 2

appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 13th day of October, 2016.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE